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DOCUMENT

ELECTRONICALLY FILED

DOC #:

DATE FILED: 1/14/08

January 14, 2007

Via Facsimile (212) 805-6326Honorable Colleen McMahon
United States District Judge
Daniel Patrick Moynihan Courthouse
500 Pearl Street, Room 640
New York, New York 10007Re: U.S. v. Charles Garland
07 CR 765 (CM)

Dear Judge McMahon:

I represent defendant Charles Garland in the above matter. Mr. Garland's sentencing is currently scheduled for January 29, 2008, which, according to your Court rules, would make the due date for the defendant's sentencing memorandum January 15, 2008. We have yet to receive a report and evaluation from Dr. Berrill, a psychiatrist that evaluated Mr. Garland at Probation's request. For this reason, I am respectfully requesting an adjournment of Mr. Garland's sentencing for approximately 45 days to afford me ample opportunity to receive and review Dr. Berrill's report, and incorporate the findings into a sentencing memorandum on Mr. Garland's behalf.

I have discussed this request with AUSA Todd Blanche who has no objections.

Thank you for your attention to this matter. Please do not hesitate to contact me if you require additional information.

Respectfully submitted,

Brian D. Waller

cc: AUSA Todd Blanche